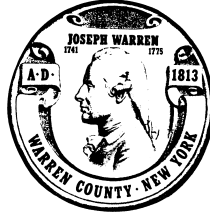


WARREN COUNTY PURCHASING DEPARTMENT  
HUMAN SERVICES BUILDING  
1340 STATE ROUTE 9  
LAKE GEORGE, NY 12845  
Telephone: (518) 761-6538  
Fax: (518) 761-6395

JULIE A. PACYNA  
PURCHASING AGENT

JASON M. SHPUR  
DEPUTY PURCHASING AGENT



Receipt Confirmation Form

WC 69-12 - RFP Regarding the Sale of Warren County Skilled Nursing Facility  
(Westmount Nursing Home)

**IF YOU PLAN TO SUBMIT A PROPOSAL, YOU MUST RETURN THIS FORM  
TO ENSURE THAT YOU WILL RECEIVE ALL FURTHER COMMUNICATION  
REGARDING THIS RFP.**

Complete and return this confirmation form to Julie A. Pacyna by faxing to  
(518) 761-6395 or e-mailing to [pacynaj@warrencountyny.gov](mailto:pacynaj@warrencountyny.gov) as soon as possible.

I would like to receive further correspondence/addenda regarding this RFP ☐ Yes ☐ No

Please check format preference: \_\_\_\_\_e-mail \_\_\_\_\_fax \_\_\_\_\_mail

Company Name:\_\_\_\_\_

Address:\_\_\_\_\_

City:\_\_\_\_\_ State:\_\_\_\_\_ Zip Code:\_\_\_\_\_

Contact Person:\_\_\_\_\_

Title:\_\_\_\_\_

Phone Number:\_\_\_\_\_ Fax Number:\_\_\_\_\_

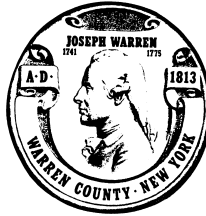
E-mail:\_\_\_\_\_

# WARREN COUNTY PURCHASING DEPARTMENT

HUMAN SERVICES BUILDING  
1340 STATE ROUTE 9  
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Telephone: (518) 761-6538  
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JULIE A. PACYNA  
PURCHASING AGENT

JASON M. SHPUR  
DEPUTY PURCHASING AGENT



## NOTICE OF OFFERING FOR SALE OF NURSING HOME

The undersigned shall receive sealed proposals for the provision of services to the County of Warren as follows:

### **WC 69-12 - REQUEST FOR PROPOSALS REGARDING THE SALE OF WARREN COUNTY SKILLED NURSING FACILITY (WESTMOUNT NURSING HOME)**

The County of Warren is soliciting proposals in connection with the offering for sale of its County owned nursing home (known as the Westmount Health Facility). The nursing home is located on approximately 8 acres and the County will also consider selling additional adjoining vacate property consisting of approximately 28 acres that a party making a proposal may be interested in acquiring for purposes of operating and/or expanding the nursing home and/or providing other related elderly care services.

The Westmount Nursing Home is an 80 bed skilled nursing facility together with a considerable amount of vacant, undeveloped real property situated on the west side of the Adirondack Northway Interstate Route 87 (Exit 20) in Queensbury, NY, to the northwest of Six Flags Great Escape and approximately five (5) miles south of Lake George. Further information and details are contained in the documents attached to this request, or are available upon request.

Proposals may be delivered to the undersigned at the Warren County Human Services Building, 3<sup>rd</sup> Floor, Office of the Purchasing Agent, 1340 State Route 9, Lake George, New York during regular business hours until no later than **THURSDAY, February 7, 2013 at 3:00 p.m.** Late proposals by mail, courier or in person will be refused. Warren County will not accept any bid or proposal which is not delivered directly to Purchasing by the time indicated, on the time stamp in the Purchasing Department Office.

All proposals must be submitted according to the terms of the specifications. Questions regarding these specifications shall be directed to Julie Pacyna, Purchasing Agent at 518-761-6538. All proposals must be in writing and submitted in a sealed envelope marked **Nursing Home Sale RFP** clearly on the outside of the envelope. Proposals will not be publicly opened and read, but will be opened and evaluated in preparation for a recommendation to the Warren County Board of Supervisors.

Warren County reserves the right to award the Contract under the RFP to the company whose proposal best serves the interest of Warren County. Warren County reserves the right to reject any and all proposals or part thereof, not considered to be in the best interest of Warren County, and to waive any technical or formal defect in the proposals which is considered by Warren County to be merely irregular, immaterial, or unsubstantial.

**You may obtain the Specifications either on-line or through the Purchasing Office.** If you have any interest in these Specifications **on-line**, please follow the instructions to register on the Capital Region Purchasing Group website, either for free or paid subscription. Go to <http://warrencountyny.gov> and chose BIDS AND PROPOSALS to access the Capital Region Purchasing Group OR go directly to [http://www.govbids.com/scripts/CRPG/public/home1.asp?utm\\_medium=referral&utm\\_source=WAR72NY&utm\\_campaign=web\\_site](http://www.govbids.com/scripts/CRPG/public/home1.asp?utm_medium=referral&utm_source=WAR72NY&utm_campaign=web_site). **If you choose a free subscription, please note that you must visit the website up until the response deadline for any addenda. All further information pertaining to this bid will be available on this website. Proposals which are not directly obtained from either source will be refused.**

The right is reserved to reject any or all proposals.

Julie Pacyna, Purchasing Agent  
Warren County Human Services Building  
Telephone Number: (518) 761-6538

**WC 69-12 REQUEST FOR PROPOSALS REGARDING THE SALE OF WARREN COUNTY SKILLED  
NURSING FACILITY (WESTMOUNT NURSING HOME)**

**February 7, 2013**

**3:00 PM**

**HUMAN SERVICES BUILDING, 3<sup>RD</sup> FLOOR**

**I. GENERAL/ INTRODUCTION**

- A. Introduction: The County of Warren is soliciting proposals in connection with the offering for sale of its County owned Westmount Nursing Home located on approximately 8 acres and the County will also consider selling additional adjoining vacant property consisting of approximately 28 acres that a party making a proposal may be interested in acquiring for purposes of operating and/or expanding the nursing home and/or providing other elderly care services. The Westmount Nursing Home is an 80 bed skilled nursing facility together with considerable vacant, undeveloped real property situated on the west side of the Adirondack Northway Interstate Route 87 (Exit 20) in Queensbury, NY, located to the northwest of Six Flags Great Escape, and approximately 5 miles south of Lake George.
- B. Issuing Office: This RFP is issued by Warren County through its Purchasing Department. Contact Julie Pacyna, Purchasing Agent, telephone number (518) 761-6538.
- C. Inquiries: Any inquiries or questions concerning this RFP should be made directly to Julie Pacyna, Purchasing Agent, Warren County Human Services Building, 1340 State Route 9, Lake George, New York 12845, by calling (518) 761-6538, faxing 518-761-6395 or e-mailing to [pacynaj@warrencountyny.gov](mailto:pacynaj@warrencountyny.gov) no later than 4 p.m. Wednesday, January 23, 2013.

It is the proposing party's sole responsibility to be familiar with all terms and conditions regarding this proposal before the RFP opening. Any questions should be submitted in writing to the Purchasing Department and, if relevant, should cite the section and page number of the document relating to the question raised by consultant. Answers to all questions of a substantive nature will be given to all interested parties in the form of a formal addendum which will be annexed to and become part of the RFP. Please be advised that Warren County shall not be bound by any verbal response by any County employee which is not confirmed in writing or which does not result in an addendum issued by the Purchasing Department.

- D. Inspections: Any party interested in responding to this RFP and desiring to inspect the skilled nursing facility, excess property and location, is invited to contact the Warren County Purchasing Agent, telephone number (518) 761-6538. The deadline to request an inspection is noon on Wednesday, January 9, 2013. The inspection will be scheduled, upon request, at a mutually convenient time, and will be coordinated by the County Administrator's Office.
- E. Response to RFP: Parties interested in responding to this RFP **must do so no later than 3:00 p.m. on Thursday, February 7, 2013.** Responses to the RFP must be mailed or delivered directly to Julie Pacyna, Purchasing Agent, Warren County Purchasing Department, Warren County Human Services Building, 1340 State Route 9, Lake George, New York 12845. Warren County will not accept any proposal which is not delivered directly to Purchasing by the time indicated on the time stamp in the Purchasing Department Office. Faxes are not acceptable. Warren County reserves the right to reject any and all proposals received after the date indicated.
- F. Proposal Information: Proposals must address or contain information responding to Sections III and V hereof.

**II. DESCRIPTION OF COUNTY AND COUNTY-OWNED SKILLED NURSING FACILITY.**

- A. The County of Warren. The County of Warren in the State of New York, encompasses 883 square miles, and according to the 2010 Census, has a population of 65,707. The County is located two hundred miles north of the City of New York. The County is bounded by the County of Essex to the

**WC 69-12 REQUEST FOR PROPOSALS REGARDING THE SALE OF WARREN COUNTY SKILLED NURSING FACILITY (WESTMOUNT NURSING HOME)**

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north, the County of Saratoga to the south, the County of Washington to the east, and the County of Hamilton to the west. The City of Glens Falls is situated at the southern tip of Warren County.

The County's employment base is diverse. The largest employers in the County include Glens Falls Hospital, C.R. Bard, Finch Paper and AngioDynamics. The most recent Department of Labor data (October 2012) list of employment by industry super-sector, lists Leisure & Hospitality as the largest employer sector (19.7%), followed by Government at 18.2% of workers, Trade, Transportation & Utilities at 17.7%; Education & Health Services at 15% and Manufacturing at 11.2% for this same month.

Home to Lake George, a popular tourist destination, the County attracts visitors year-round to enjoy the activities associated with the magnificent natural scenery. Warren County offers pristine bodies of water, the Adirondack Mountains, and an array of lodgings and accommodations for travelers. The County is home to numerous down hill and cross country skiing sites, snowmobile trails, hiking and biking trails, and theme parks to accommodate families with children of all ages. Shopping is plentiful and includes an indoor mall; outlet store/lifestyle shopping experience, and niche stores in downtown Glens Falls and many of the hamlets in the County.

Located equidistant to NYC, Montreal, and Boston, the County is served by an excellent highway system that supports commerce and commuters. There are eight exits off I-87 in Warren County; making any location here within a 'one-day shipping' time to 52% of the combined U.S. - Canadian population. Part of the Champlain-Hudson Gateway and Trade Corridor, one of five officially recognized cross-border economic regions linking the U.S. and Canada; this zone from Montreal to Albany has seen substantial new commerce and economic activity, with north-south trade along the Corridor almost doubling each year.

- B. The Nursing Home. The nursing home, known as the Westmount Health Facility, is located at 42 Gurney Lane situated on the west side of the Adirondack Northway Interstate Route 87 (Exit 20) in Queensbury, NY, located to the northwest of Six Flags Great Escape, and approximately 5 miles south of Lake George. The Facility is located approximately 11-12 minutes away from the Glens Falls Hospital (sole comprehensive acute care community hospital in the area).

The Facility is situated on approximately 8 acres of land. The County owns an additional 28 acres (approximate) where there are 2 other buildings near the Facility. One is presently vacant and the other houses a non-secure detention facility. There is sufficient distance and land mass to allow exclusive usages and ingress/egress. A survey and a subdivision will be necessary to complete any sale or transaction. A map of the nursing home, the property it is located on and the adjacent property is annexed hereto as Schedule "A".

The Facility is housed in its own building and is an 80 bed facility. The present configuration is 31 semi-private rooms and 18 private rooms. The Facility was built in 1979 and it has been County owned and operated since its opening.

The Facility is powered by a natural gas co-generation facility constructed through the Siemens Industry, Inc. in 2005, has municipal water supply, on-site septic, but could have access to municipal sewer. When the co-generation facility was constructed, various improvements were also made. The elements of the co-generation facility, as well as the improvements are listed in Schedule "B".

In addition, the following notable improvements have been made: roof (1993, air handler (1997), sprinkler system (2012) and fire panels (2012).

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The Facility provides a wide spectrum of skilled nursing care. The facility provides short-term rehabilitation services to people who cannot immediately return to their homes because of an accident or illness and also provides long-term care for individuals who are unable to care for themselves.

A full time licensed nursing home administrator oversees the Westmount Nursing Home. Physical, Occupational and Speech therapies are provided by Select Rehabilitation, Inc. Physician care is provided as follows:

1. Part-Time Physician: directly employed;
2. Medical Director/Part Time Physician: contracted through Hudson Headwaters Heath Network;
3. Weekend/Evening Calls: contracted through Hudson Headwaters Health Network; and
4. Northeast Mobile Dental Services: contracted with a local dentist

Laundry services are provided on premises by dedicated employees.

The Facility has its own administration, comptroller/fiscal, billing, accounts payable and payroll personnel, housekeeping, dietary, activities, social worker/admissions, physical therapy department and maintenance operations.

Employees holding the positions of nurse, CNA, aide, dietary, clerical, housekeeping and maintenance are represented by the Civil Service Employees Association, Local 1000, AFSCME, AFL-CIO, for the Warren County General Unit, of the Warren County Local 857. Management and supervising non-bargaining unit staff, more specifically described as Administrator, Comptroller, Staffing/In-Service Coordinator, MDS Coordinator, Clinical Coordinator, Attending Physician and Executive Housekeeping/Laundry Specialist, are not part of any employee bargaining unit.

The present staffing plan for the Facility is attached hereto as Schedule "C". Due to terminations, resignations and/or retirements, county employed staff is not at 100%. Back up staffing for nurses, LPNs and Aides are provided by 1) Medical Staffing Network Healthcare, LLC; 2) Visiting Nurses Homecare; 3) Nursecore; 4) Favorite Healthcare Staffing, Inc.; and 5) Nurseconnection Staffing, Inc.

Present resident occupancy and payer mix is as follows: as of November 27, 2012, 71 residents. Payer Mix of the 71 residents: 59% Medicaid, 11% Medicare A and 30% Private Pay.

Over the past 5 years the Facility has averaged the following resident days, admissions and discharges per year:

<u>Year</u>	<u>Resident Days</u>	<u>% Full</u>	<u>New Adm</u>	<u>Re-Adm</u>	<u>Deaths</u>	<u>Discharges</u>
2011	28296	96.9%	69	55	28	44
2010	28492	97.6%	44	61	31	15
2009	28685	98.3%	38	72	19	18
2008	28973	99.3%	38	77	27	13
2007	28955	99.2%	35	47	20	13

The Facility's Audited Financial Reports for the periods ending December 31, 2009, 2010, 2011 are available at <http://warrencountyny.gov/westmount/financial.php>.

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**III. SALE CONDITIONS AND OBJECTIVES IMPORTANT TO THE COUNTY.**

The County not only desires to receive proposals that set forth a proposed purchase or acquisition price for the nursing home on 8 acres with or without the additional approximate 28 acres of land, but also proposals that address the following criteria which will be weighed in determining which proposal is in the best interest of the County, its residents, the resident of the nursing home and employees. No proposal will be considered which does not result in the continuation of the nursing home as a comprehensive skilled nursing home facility.

- A. Continued operation of the nursing home with similar comprehensive care offerings at present occupancy rates.
- B. Expansion plans for services which may include, but not be limited to additional residential capacity (beds), expanding rehabilitation services, adult day care, assisted living facilities and/or other services benefitting the elderly, particularly those in need of medical and/or living assistance;
- C. The provision of nursing care services for Medicaid/Medicare individuals at levels sufficient to provide accessibility for local residents;
- D. Resident and Resident Family impacts;
- E. Retention of existing employees
- F. Additional job creation over an agreed upon term; and
- G. Closing as soon as practical following selection and agreed terms of sale preferably well before the end of 2013 with transfer to follow as soon after as possible.

**V. PROPOSAL CONTENT**

A response to this RFP must address the following areas:

- A. Your organization profile and credentials, including :
  - 1. The history and type of your organization, including existing or proposed principals, experience of principals and credentials;
  - 2. Number of years in business;
  - 3. Familiarity with Warren County and/or upstate New York area;
  - 4. The number, type and size of Health Facilities, including nursing homes, that you own or operate;
  - 5. Specific experience and qualifications in operating and managing nursing homes and providing skilled nursing home services;
  - 6. If you are operating or have operated a nursing home or homes please provide your audited financial reports for those nursing homes for the past 3 years .
- B. References. Three references from persons outside your organization. Please include a mix of sources. Additional references may be requested.
- C. Fee proposal. Warren County requests that fee proposals be presented as a lump sum including, however, a summary of the allocation you are making in your lump sum fee proposal for the a) business, b) the building, improvements and property area servicing that operation (parking lot, access and minimum additional land to service the facility) and c) the amount of additional property you desire for future growth/expansion of elderly care services.

**WC 69-12 REQUEST FOR PROPOSALS REGARDING THE SALE OF WARREN COUNTY SKILLED  
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- D. Proposal concerning County Conditions and Objectives. Please identify with specifics and details as to how you would propose to meet or satisfy the County's objectives as outlined in Section III hereof.
- E. Business Plan. Please provide a business plan regarding the continued operation of the Westmount Nursing Home, expansion plans and generally addressing the County's conditions and objectives.
- F. Transition Plan. Please provide a summary of your transition plan including the hoped for or anticipated timing of due contract negotiations, diligence inspections and tests, DOH approvals and any other government approvals that may be needed, closing date, and transfer date or time period.
- G. Required form. Please include the following forms with your proposal: signed Proposal Form, Non-Collusive Certification, Corporate Resolution (if by a corporation) and Certification of Compliance with the Iran Divestment Act.
- H. Financing. Please provide proof of preliminary financing with your proposal. If selected, the proposer is required to provide proof of approved financing within thirty (30) days of notification from the County of the selection.

**VI. METHOD OF REVIEW AND AWARD**

Upon expiration of the deadline date for receipt of proposals, the County will review the same and determine which proposal or proposals may best satisfy the award criteria set forth below.

Upon such selection, the County will arrange for interviews and will request additional information as County officials or their consultants may deem important to be considered. Such information could include when relevant, such information as the proposers prior DOH reviews and inspection reports, occupancy rate and payer mix experience at other owned facilities, history of expansion/grant, typical wages and benefits for employees, audited financial reports and various other financial, contractual, corporate, partnership and other miscellaneous information. This list is not intended to be exhaustive.

The award may be made to the most responsive proposer whose proposal is determined to be in the best interest of Warren County and will best serve the County's requirements. Only proposals that provide for the continuation of the nursing home with similar services or expanded or added elderly care services will be considered.

The following criteria will be weighed in determining which proposal is in the best interest of the County, its residents, the resident of the nursing home and employees:

- A. Continued operation of the nursing home with similar comprehensive care offerings at present occupancy rates;
- B. Expansion plans for services which may include, but not be limited to additional residential capacity (beds), expanding rehabilitation services, adult day care, assisted living facilities and/or other services benefitting the elderly, particularly those in need of medical and/or living assistance;
- C. Proposed Purchase Price;
- D. Closing as soon as practical following selection and agreed terms of sale preferably well before the end of 2013 with transfer to follow as soon after as possible;

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- E. The provision of nursing care services for Medicaid/Medicare individuals at levels sufficient to provide accessibility for local residents;
- F. Resident and Resident Family impacts;
- G. Retention of existing employees; and
- H. Additional job creation over an agreed upon term.

All proposals will be evaluated to determine if they meet the required format and be in compliance with all requirements of the Request for Proposals.

Incomplete or non-responsive proposals may be rejected at the discretion of Warren County.

The details of sale will be subject to negotiation of a contract with the selected proposer and no contract or final commitment on the part of the County shall occur until approved by majority vote of the County governing board.

The party submitting the selected proposal shall be contacted, and negotiations are anticipated to begin immediately. Upon notification of selection, the proposer is required to submit within thirty (30) days proof of approved financing. All others responding to this RFP shall be contacted and advised of the County's selection. The County shall not be obligated to accept any proposal or if a proposal is selected to reach an agreement with the selected proposer unless a proposed contract is approved by the Board of Supervisors, which approval shall be at the said Board's sole discretion.

Warren County reserves the right to reject any and all proposals and to waive minor irregularities. Warren County further reserves the right to discontinue the RFP process, continue its present operations, proceed in a new direction and/or seek new proposals when such procedure is reasonably in the best interest of the County to do so.

**VII. RFP TERMS AND CONDITIONS/FURTHER NEGOTIATION**

- A. This RFP is for purposes of identifying the proposal of a company, person or entity most likely to meet the County's sale conditions, objectives and award criteria. Therefore, this RFP does not set forth, and is not intended to set forth all terms and conditions of any agreement that may ultimately be reached with the County. Once the County has selected the successful proposal, negotiations shall be commenced for the purposes of refining the proposal and identifying and drafting all terms and conditions of any agreement.
- B. The sale of the nursing home and/or property by reason of this RFP is not certain. The County reserves the right to reject any and all proposals, waive or modify minor irregularities in proposals received, utilize any and all ideas submitted in the proposals received unless those ideas are covered by legal patent or proprietary rights and generally adapt any or all of a party's proposal in developing contract language.
- C. Nothing contained herein shall be deemed an offer by Warren County or be interpreted as making a representation or giving any assurances that the nursing home or property will be sold or a contract will be awarded or that the County is, in some fashion, obligated to enter into a contract. Should the County be unsuccessful in negotiating a contract with the selected company or entity within a time frame acceptable to the County, the County may begin contract negotiations with another company responding to the RFP, reject all RFPs, re-advertise, retain the nursing home, or take such other action as the County may deem appropriate.



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- D. In no event shall the County be liable for any cost incurred by any interested party in responding to this Request for Proposals. Proposals shall not be returned once submitted and the County may dispose of the same in any manner allowed under Law.
- E. Submission of the proposal to the County shall be deemed consent for the proposals to be publicly identified and information contained therein shall be deemed a matter of public record and available for public inspection. If any information contained in the proposal is considered confidential by the party responding to this request, the party must specifically and clearly identify such information in a letter transmitting the response to this Request for Proposal. Failure to do so may result in disclosure by the County or County officials and in such case, by responding to this request, the party agrees that the County and/or its respective officials shall have no liability for any damages claimed by the party due to a release of information. If any information is marked confidential, and the County receives a request to release the same under the Freedom of Information Laws or if the County determines it appropriate for any reason to release the same, the County shall notify the party of such request for the information or anticipated release of the information and provide the party with any opportunity to site sections of law and/or cases that provide that such information should not be released and/or take other action as the firm or lawyer may deem appropriate.
- F. Following receipt of the proposals, the County may, at its option, arrange for interviews and/or oral presentations by any or all of the proposers.
- G. The party submitting the selected proposal shall be contacted and negotiations are anticipated to begin immediately. All others responding to this RFP shall be contacted and advised of the County's selection.
- H. Submission of a proposal constitutes agreement to all terms and conditions applicable to this RFP.
- I. Under penalty of perjury, the signer of any proposal submitted in response to this RFP thereby certifies that this proposal has not been arrived at collusively nor otherwise in violation of any Federal or State law, rules or regulations.
- J. The term of the contract shall commence upon execution of an agreement and terminate upon completion of transfer of the nursing home.
- K. To the extent required by Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor will not discriminate against any employee or applicant for employment because of an individual's age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status or domestic violence victim status. Furthermore, in accordance with Section 220-e of the Labor Law, if this is a contract for the construction, alteration or repair of any public building or public work or for the manufacture, sale or distribution of materials, equipment or supplies, and to the extent that this contract shall be performed within the State of New York, Contractor agrees that neither it nor its subcontractors shall, by reason of race, creed, color, disability, sex, or national origin: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. If this is a building service contract as defined in Section 230 of the Labor Law, then, in accordance with Section 239 thereof, Contractor agrees that neither it nor its subcontractors shall by reason of race, creed, color, national origin, age, sex or disability: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. Contractor is subject to fines of \$50 per person per day for any violation of Section 220-e or Section 239 as well as possible termination of this contract and forfeiture of all moneys due hereunder for a second or subsequent violation.

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NURSING FACILITY (WESTMOUNT NURSING HOME)

February 7 , 2013

3:00 PM

HUMAN SERVICES BUILDING, 3<sup>RD</sup> FLOOR

**PROPOSAL**

PROPOSAL OF \_\_\_\_\_  
COMPANY NAME

**is attached hereto (Please attach your proposal. Please note that your proposal must specify and address items III (County Conditional Objectives) and V. (Proposal Content) set forth in the Request for Proposal.**

TO: Julie Pacyna, Purchasing Agent  
Warren County Human Services Building  
1340 State Route 9  
Lake George, New York 12845

The undersigned having carefully examined the specifications and having to their satisfaction ascertained all the facts concerning these specifications, herewith submits the following attached proposal.

**PLEASE PROVIDE SIX COMPLETE COPIES NO LATER THAN THURSDAY, FEBRUARY 7, 2013 AT 3:00 P.M.**

Date: \_\_\_\_\_ Federal ID# \_\_\_\_\_

**Consultant Signature:** \_\_\_\_\_

Name (Printed): \_\_\_\_\_

Name of Firm: \_\_\_\_\_

Business Address: \_\_\_\_\_

Phone # \_\_\_\_\_ Fax# \_\_\_\_\_

NOTE: The following Certification and Corporate Resolution, if applicable, and Certification of Compliance with Iran Divestment Act must accompany this proposal. Financial statement, if desired, will be requested at a later date. D.B.A. and/or Certificate of Incorporation will be required from successful bidder.

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**3:00 PM**

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**PROPOSAL**

**CERTIFICATION**

Non-Collusive Certification required of all bidders under Section 103-d of the General Municipal Law as amended by Chapter 675 of the Laws of 196, and further amended by Chapter 56 of the Laws of 2010, effective June 22, 2010.

- (a) By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid, each party thereto certifies, as to its own organization, under penalty of perjury, that to the best of knowledge and belief:
- (1) The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;
  - (2) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and
  - (3) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.
- (a-1) Notwithstanding the foregoing, the statement of non-collusion may be submitted electronically in accordance with the provisions of subdivision one of section one hundred three of the General Municipal Law.
- (b) A bid shall not be considered for award nor shall any award be made where (a) (1) (2) and (3) above have not been complied with; provided however, that if in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth, in detail, the reasons therefor. Where (a) (1) (2) and (3) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.
- (c) The person signing this bid or proposal certifies that he has fully informed himself regarding the accuracy of the statements contained in this certification, and under the penalties of perjury, affirms the truth thereof, such penalties being applicable to the bidder as well as to the person signing on its behalf;
- (d) That attached hereto (if a corporate bidder) is a certified copy of resolution authorizing the execution of this certificate by the signatory of this bid, or proposal, on behalf of the corporate bidder.

\_\_\_\_\_  
Individual Bidder

\_\_\_\_\_  
Co-Partnership

By \_\_\_\_\_  
Partner

\_\_\_\_\_  
Corporation

By \_\_\_\_\_  
President

**WC 69-12 REQUEST FOR PROPOSALS REGARDING THE SALE OF WARREN COUNTY SKILLED  
NURSING FACILITY (WESTMOUNT NURSING HOME)**

**February 7 , 2013**

**3:00 PM**

**HUMAN SERVICES BUILDING, 3<sup>RD</sup> FLOOR**

**P R O P O S A L**

**C O R P O R A T E R E S O L U T I O N**

RESOLVED that \_\_\_\_\_  
(Name)

be authorized to sign and submit the Bid, or Proposal, of this Corporation for the following project:

\_\_\_\_\_  
(Title of Project)

and to include in such Bid Proposal the Certificate as to non-collusion required by Section 103-d of the General Municipal Law as the act and deed of such corporation, and for any inaccuracies of misstatements in such certifies this Corporate Bidder shall be liable under the penalties of perjury.

The foregoing is a true and correct copy of the Resolution adopted by \_\_\_\_\_

\_\_\_\_\_ Corporation at a meeting of its Board of Directors held on

the \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_, and is still in force

and effective on this \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
SECRETARY  
(Signature)

(SEAL OF CORPORATION)

**WC 69-12 REQUEST FOR PROPOSALS REGARDING THE SALE OF WARREN COUNTY SKILLED  
NURSING FACILITY (WESTMOUNT NURSING HOME)**

**February 7 , 2013**

**3:00 PM**

**HUMAN SERVICES BUILDING, 3<sup>RD</sup> FLOOR**

**CERTIFICATION OF COMPLIANCE WITH THE IRAN DIVESTMENT ACT**

As a result of the Iran Divestment Act of 2012 (the "Act"), Chapter 1 of the 2012 Laws of New York, a new provision has been added to State Finance Law (SFL) § 165-a and New York General Municipal Law § 103-g, both effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will be developing a list of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law) (the "Prohibited Entities List"). Pursuant to SFL § 165-a(3)(b), the initial list is expected to be issued no later than 120 days after the Act's effective date at which time it will be posted on the OGS website.

By submitting a bid in response to this solicitation or by assuming the responsibility of a Contract awarded hereunder, each Bidder/Contractor, any person signing on behalf of any Bidder/Contractor and any assignee or subcontractor and, in the case of a joint bid, each party thereto, certifies, under penalty of perjury, that once the Prohibited Entities List is posted on the OGS website, that to the best of its knowledge and belief, that each Bidder/Contractor and any subcontractor or assignee is not identified on the Prohibited Entities List created pursuant to SFL § 165-a(3)(b).

Additionally, Bidder/Contractor is advised that once the Prohibited Entities List is posted on the OGS Website, any Bidder/Contractor seeking to renew or extend a Contract or assume the responsibility of a Contract awarded in response to this solicitation must certify at the time the Contract is renewed, extended or assigned that it is not included on the Prohibited Entities List.

During the term of the Contract, should the County receive information that a Bidder/Contractor is in violation of the above-referenced certification, the County will offer the person or entity an opportunity to respond. If the person or entity fails to demonstrate that he/she/it has ceased engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then the County shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages or declaring the Bidder/Contractor in default.

The County reserves the right to reject any bid or request for assignment for a Bidder/Contractor that appears on the Prohibited Entities List prior to the award of a contract and to pursue a responsibility review with respect to any Bidder/Contractor that is awarded a contract and subsequently appears on the Prohibited Entities List.

I, \_\_\_\_\_, being duly sworn, deposes and says that he/she is the  
\_\_\_\_\_ of the \_\_\_\_\_

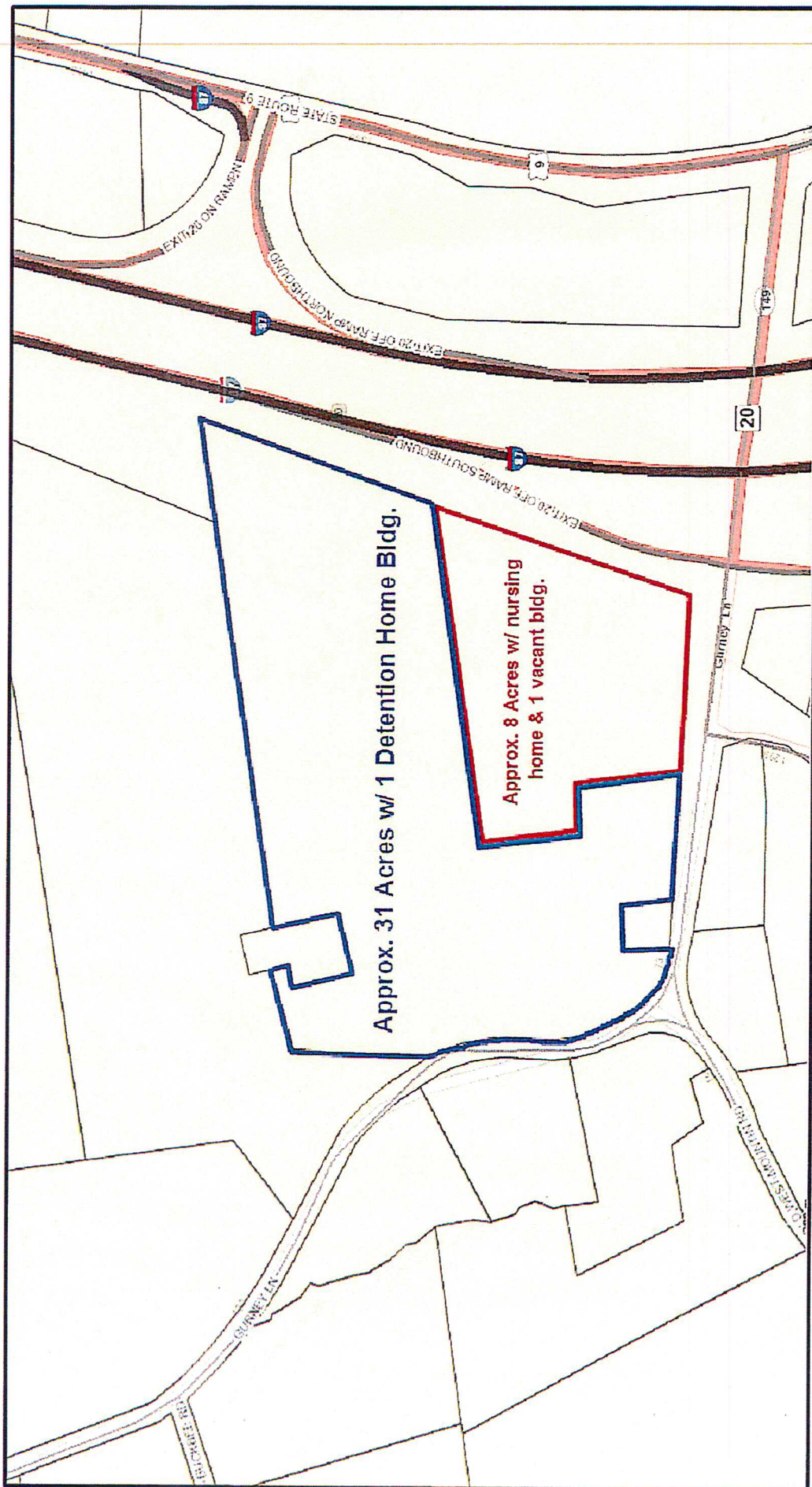
Corporation and that neither the Bidder/Contractor nor any proposed subcontractor is identified on the Prohibited Entities List.

\_\_\_\_\_  
SIGNED

SWORN to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public



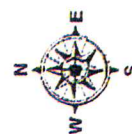
*The Subtitle*

## Westmount & Adjoining Land

USER ASSUMES ALL RISKS AND RESPONSIBILITY FOR DETERMINING WHETHER THIS MAP IS SUFFICIENT FOR PURPOSES INTENDED.

Printed: Nov 30, 2012

Schedule "A"



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**Article 1: Scope of FIM Work**

- 1.1 *Description:* Except as otherwise expressly provided herein, SIEMENS shall provide each and every item of cost and expense necessary for: Westmount Health Facility Cogeneration Project.
- 1.2 *Specific Elements:* The Work shall include the following:
- 1.2.1 Construction of an addition to house the cogeneration system and laundry service and all associated ancillary equipment necessary for the operation of those systems.
  - 1.2.2 The Cogeneration System will provide power and heat to the Health Facility and power only to the Annex which includes the Social Services Building, Detention Home Building, and small county office building.
  - 1.2.3 Cogeneration system will include three (3) 190 kW internal combustion engines operating on purchase natural gas. Under normal conditions system will operate with one or two engines with the third engine in reserve. Project will be constructed to maintain external ambient noise levels no greater than 65 Dba at a distance of twenty-five (25) feet from the building.
  - 1.2.4 The cogeneration system will tie into the existing electrical distribution systems at the buildings listed in 1.2.2. All electrical switchgear and equipment needed for this inter-connection will be provided.
  - 1.2.5 One (1) 500 kW diesel fired backup generator will installed with a 24-hour diesel fuel storage tank, and all connections for backup power. External ambient noise levels will be maintained no greater than 72 Dba at twenty-three (23) feet from the unit and 68 Dba at sixty (60) feet from the unit. Normal operating cycle time for the diesel unit will be thirty (30) minutes to one hour per month under normal conditions.
  - 1.2.6 One (1) one hundred thirty-three (133) ton capacity chiller. This chiller will replace one existing chiller and supplement the other existing chiller, which will remain in-place and operational.
  - 1.2.7 Replacement of the existing cooling tower with an induce draft counter flow cooling tower with a single-cell single 10HP fan motor with a variable frequency drive.
  - 1.2.8 Interconnection to the existing hot water boiler heating system will provide hot water for supplemental heat and domestic hot water.
  - 1.2.9 All utility connections, electrical equipment, heat exchangers, heat rejecter, piping, pumps, motors, valves, sensors, and controls necessary for the operation of the Cogeneration System and chiller will be included.
  - 1.2.10 The laundry service will include three (3) 60-pound capacity washers; three (3) natural gas operated 95-pound capacity dryers, and one (1) ironing/folding machine.
  - 1.2.11 All utility connections, electrical equipment, heat exchangers, piping, pumps, motors, valves, sensors, and controls necessary for the operation of the Laundry System will be included.
  - 1.2.12 An electrical use monitoring system will be installed capable of providing building electrical consumption data for the cogeneration system. This system will provide power quality data, current, voltage, real power, apparent power, energy

- use, power factor, and frequency to a central point located in the Health Facility building.
- 1.2.13 Monitoring equipment shall include one front-end (computer) and monitor at the central location, software, and all connections to the cogeneration system.
- 1.2.14 Energy Management System Upgrades will include converting the boilers, AHU-1 supply and exhaust, AHU-2 and AHU-3 supply, kitchen hood and dishwasher exhaust to DDC. Controls will adjust runtimes and night setback temperatures where applicable.
- 1.2.15 Kitchen equipment upgrade will include replacing the existing electric cooking equipment with new energy efficient electric equipment. Equipment to be replaced includes one double convection oven, one oven with burner/griddle, and one serving table.
- 1.2.16 The dishwasher booster heater will be converted to a natural gas booster heater.
- 1.2.17 Siemens shall fill all permits required for the successful completion of the project with the cooperation of the Facility.
- 1.3 *Technical Specifications, Drawings, and Exhibits:* The Work shall be performed in accordance with the following specifications, drawings and other attachments hereto, which are specifically incorporated herein and made part hereof:
- 1.3.1 Construction Documents shall include the following list of Drawings
- 1.3.1.1.1 SU-1 Site Survey
  - 1.3.1.1.2 A-1 through A-5 Architectural
  - 1.3.1.1.3 S-1 through S-3.1 Structural
  - 1.3.1.1.4 C-1 though C-4 Site
  - 1.3.1.1.5 M-0 through M-8 Mechanical
  - 1.3.1.1.6 P-1 through P-2 Plumbing
  - 1.3.1.1.7 E-1 through E-5 Electrical
- 1.3.2 Project Manual titled "Project Manual For: General, Site, Mechanical, and Electrical Work for The Energy Performance Contract at Westmount Health Facility Warrensburg, New York"
- 1.3.3 Control Submittal prepared by Siemens Building Technologies
- 1.4 CLIENT's Responsibility: Westmount Health Facility shall:
- 1.4.1 Document site-specific agreements required to execute the Work. Example, Facility shutdowns or downtime, Hours of site access, Temporary Utility costs, Owner provided reasonable access to an office and telephone line when needed, Owner acceptance & protection of equipment on site, etc.
- 1.4.2 Provide reasonable access to site.



## Westmount Health Facility - Staff

	FT	PT	Per Diem	Less Than Part Time	Total
<b>Administration and Finance</b>					
Administrator	1				1
Comptroller	1				1
Health Facility Office Records Specialist	1				1
Senior Account Clerks	2				2
<b>Subtotal</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5</b>
<b>Nursing Home Staff</b>					
<b>Nursing Home</b>					
Director of Nurses	1				1
Supervising RNs	2		3		5
Health Information Manager	1				1
Health Facility Clerk	1				1
Clerk				2	2
LPNs	10		4		14
CNAs	39	1	10		50
Staffing/In-Service Coordinator	1				1
MDS Coordinator	1				1
Clinical Coordinator	1				1
Nurse Managers	2				2
RPNs			2		2
Rehabilitation Aide	1				1
Attending Physician		1			1
Admissions Coordinator	1				1
<b>Subtotal</b>	<b>61</b>	<b>2</b>	<b>19</b>	<b>2</b>	<b>84</b>
<b>Other</b>					
Activities Director	1				1
Activities Aides		2			2
<b>Subtotal</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>3</b>
<b>Dietary</b>					
Dietary Supervisor	1				1
Cooks	3			1	4
Food Service Helpers	6	1	14		21
<b>Subtotal</b>	<b>10</b>	<b>1</b>	<b>14</b>	<b>1</b>	<b>26</b>
<b>Housekeeping</b>					
Executive Housekeeping/Laundry Supervisor	1				1
Laundry Worker	3				3
Cleaners	5		1		6
<b>Subtotal</b>	<b>9</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>10</b>
<b>Maintenance</b>					
Maintenance Mechanic	3				3
Health Facility Van Driver	1				1
Maintenance Workers					0
<b>Subtotal</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4</b>
<b>TOTAL</b>	<b>90</b>	<b>5</b>	<b>34</b>	<b>3</b>	<b>132</b>